

Office of the Secretary of Defense

§ 382.3

SOURCE: 55 FR 49888, Dec. 3, 1990, unless otherwise noted.

§ 382.1 Purpose.

This part, pursuant to 10 U.S.C., assigns responsibilities, functions, relationships, and authorities as prescribed herein, to the Under Secretary of Defense (Acquisition) (USD(A)). This part also strengthens the ability of the USD(A) to improve the efficiency and effectiveness of DoD acquisition.

§ 382.2 Definitions.

(a) *Department of Defense Acquisition System.* A single uniform system whereby all equipment, facilities, and services are planned, designed, developed, acquired, maintained, and disposed of within the Department of Defense. The system encompasses establishing and enforcing policies and practices that govern acquisitions, to include documenting mission needs and establishing performance goals and baselines; determining and prioritizing resource requirements for acquisition programs; planning and executing acquisition programs; directing and controlling the acquisition review process; developing and assessing logistics implications; contracting; monitoring the execution status of approved programs; and reporting to Congress.

(b) *DoD Components.* The Office of the Secretary of Defense (OSD); the Military Departments; the Joint Chiefs of Staff (JCS); the Joint Staff; the Unified and Specified Commands; the Office of the Inspector General, Department of Defense (OIG, DoD); the Defense Agencies, to include the Strategic Defense Initiative Organization (SDIO); and DoD Field Activities.

§ 382.3 Responsibilities.

The Under Secretary of Defense for Acquisition (USD(A)) is the principal staff assistant and advisor to the Secretary of Defense for all matters relating to the DoD Acquisition System; research and development; production; logistics; command, control, communications, and intelligence activities related to acquisition; military construction; and procurement.

(a) The USD(A) shall:

(1) Serve as the Defense Acquisition Executive (DAE) with full responsi-

bility for supervising the performance of the DoD Acquisition System and enforcing the policies and practices contained in DoD Directive 5000.1,¹ DoD Instruction 5000.2,² OMB Circular No. A-109.³

(2) Chair the Defense Acquisition Board (DAB), supported by an integrated structure of acquisition-related committees, and, pursuant to § 382.5(c) of this part, serve as signatory authority on Acquisition Decision Memoranda documenting Milestone reviews by the DAB.

(3) Serve as the DoD Procurement Executive, with responsibilities as prescribed in E.O. 12352 of March 17, 1982 (3 CFR, 1982 Comp., p. 137) and 41 U.S.C. 401-424.

(4) Chair the DoD Ethics Council, with responsibilities as prescribed in DoD Directive 5120.47⁴.

(5) Serve as the National Armaments Director and Secretary of Defense representative to the Four Power Conference.

(6) Establish and publish policies and procedures governing the operations of the DoD Acquisition System and the administrative oversight of defense contractors.

(7) Prescribe policies, in coordination with the IG, DoD, and the Comptroller of the Department of Defense (C, DoD), to ensure that audit and oversight of contractor activities are coordinated and carried out in a manner to prevent duplication by different elements of the Department. The exercise of this responsibility shall not affect the authority of the IG under the Inspector General Act of 1978.

(8) Coordinate research and development programs DoD-wide to eliminate duplication of effort and ensure that available resources are used to maximum advantage.

¹Copies may be obtained, at cost, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

²See footnote 1 to § 382.3(a)(1).

³Copies may be obtained by written request to: EOP Publications, 725 Seventeenth Street NW., Washington, DC 20503.

⁴See footnote 1 to § 382.3(a)(1).

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(9) Establish policies and programs that strengthen DoD Component technology development programs, encourage technical competition and technology-driven prototyping that promise increased military capabilities, and exploit the cost-reduction potential of innovative or commercially developed technologies.

(10) Develop acquisition plans, strategies, guidance, and assessments, including affordability assessments and investment area analyses, in support of the acquisition Milestone review and Planning, Programming, and Budgeting System (PPBS) processes.

(11) Administer the Defense Acquisition Executive Summary (DAES) and Cost/Schedule Control System Criteria (C/SCSC) systems.

(12) Designate major defense acquisition programs as either DAB or Component programs, sign congressional certifications and reports to include Milestone authorization breaches, administer the Selected Acquisition Report (SAR) and Unit Cost Report (UCS) systems, and exercise the other specific authorities provided for in the delegations of authority contained in appendix to this part.

(13) Develop, in coordination with the Under Secretary of Defense for Policy (USD(P)), memoranda of agreements and memoranda of understandings with friendly and Allied Nations relating to acquisition matters.

(14) Establish policies for maintenance of the defense industrial base.

(15) Supervise the management and performance of the Strategic and Critical Defense Materials Program pursuant to E.O. 12626 of February 25, 1988 (3 CFR, 1988 Comp., p. 552).

(16) Establish policies, in coordination with the Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)), for the training and career development of acquisition personnel.

(17) Advise the Secretary of Defense and the Deputy Secretary of Defense on technical and programmatic issues arising in Defense Planning and Resources Boards matters.

(b) For each assigned area identified in § 382.4, the USD(A) shall:

(1) Direct planning and analyses activities to assess the technical, eco-

nomic, and military worth of specific acquisition programs and investment areas.

(2) Establish policies, systems, and standards that promote more effective and efficient administration and management of acquisition resources, and monitor the execution of approved programs to ensure available resources are being applied in accordance with established policies and standards.

(3) Review and evaluate DoD Component plans, programs, and budget submissions to ensure adherence to established priorities, policies and procedures, standards, and resource guidance; and, as appropriate, develop recommended alternatives for Secretary and Deputy Secretary of Defense consideration during all phases of the PPBS process.

(4) Promote coordination, cooperation, and mutual understanding of all matters related to assigned activities, both inside and outside the Department of Defense.

(5) Serve as primary focal point and principal spokesman for the Department of Defense; serve on boards, committees, and other groups pertaining to assigned functional areas; and represent the Secretary of Defense and the Deputy Secretary of Defense on USD(A) matters outside the Department of Defense.

(6) Establish and maintain management information and reporting systems.

(7) Perform such other duties as the Secretary or Deputy Secretary of Defense may prescribe.

§ 382.4 Functions.

The USD(A) shall carry out the responsibilities described in § 382.3, for the following functional areas:

(a) Acquisition management.

(b) Basic and applied research and the defense technology base.

(c) Design and engineering, and the development of weapon systems.

(d) Command, control, communications, and intelligence programs, systems, and activities related to acquisition.

(e) Logistics acquisition and management, to include supply systems, spares program management, weapons systems logistics elements, items